

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Kandus Dakus, individually and on behalf of
all others similarly situated,

Plaintiff,

- against -

Koninklijke Luchtvaart Maatschappij, N.V.,

Defendant

1:22-cv-07962-RA

Declaration of Kandus Dakus

Pursuant to 28 U.S.C. § 1746, I declare:

1. I am the Plaintiff in this action.
2. This Declaration is submitted in connection with the Court's Order of July 13, 2023, which stated, "In light of Defendant's submissions, Plaintiff shall file any additional materials, or any additional argument, to rebut the factual challenge to jurisdiction no later than July 26, 2023." ECF No. 28.
3. I have reviewed the Court's Order which referenced the "jurisdictional challenge" made to my standing by Defendant.
4. During the summer of 2022, I traveled in Europe through a tour arranged by the American Council for International Studies ("ACIS"), a leader in tours for teachers.
5. I booked the Edinburgh to Paris ten-day tour and extended my travel to Athens, Greece.
6. Based on my records, I paid over \$5,700 to ACIS for the airline flights and other accommodations.
7. This included my payment of \$450 for the ACIS Ultimate-Plus Protection Plan.
8. This trip included the following airline flights:
 1. Houston to Amsterdam, July 6, 2022;

2. Amsterdam to Athens, July 7, 2022;
3. Edinburgh to Amsterdam, July 21, 2022; and
4. Amsterdam to Houston, July 21, 2022.

9. By purchasing the Ultimate-Plus Protection Plan, I had the ability to cancel my trip for any reason and receive a 100% cash refund, less the cost of the Ultimate-Plus Protection Plan.¹

10. Though I was not initially aware that the flights arranged by ACIS would be with KLM, I was informed of this prior to my travel.

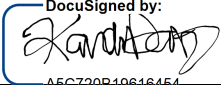
11. Upon being informed that these flights would be with KLM, I learned about its promises and commitments to limit its contributions to climate change, as described in the Complaint and First Amended Complaint.

12. As someone who cares about the environment and the importance of all of us doing our part to combat the threat of climate change, KLM's promises and commitments to limit its contributions to climate change were important to me, and consistent with my personal values.

13. I relied, in part, on KLM's promises and commitments to limit its contributions to climate change, in deciding to not cancel my trip, even though I could have done so and received a 100% cash refund, less the cost of the Ultimate-Plus Protection Plan.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 25, 2023 | 10:50:03 PM EDT

DocuSigned by:

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Kandus Dakus

¹ [ACIS International Protection Plans.](#)